

General Card Room Rules

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Operating a Card Room

230-15-001 "Public card room" defined.

"Public card room" means that area of the commercial stimulant business set aside for the playing of card games.

[Statutory Authority: RCW 9.46.070; RCW 9.46.0325.]

230-15-002 Requirements for public card games.

At any time public card game licensees are conducting card games, they must:

- (1) Have the food and/or drink business being commercially stimulated open to the public; and
- (2) For Class E, Class F, or house-banked card rooms, have a licensed card room employee on duty and in the card room area.

[Statutory Authority: RCW 9.46.070.]

WAC 230-02-410 Public card room.

A public card room is that area of the premises of a profit seeking retail business which has been specifically set aside or designated by the licensee and approved by the commission for the playing of cards by members of the public as a commercial stimulant to that business in accordance with state law and the rules of the commission.

230-15-003 "Social card games" defined.

For the purposes of this chapter, "social card games" means those card games authorized by RCW 9.46.0282. "Card games" and "social card games" mean the same thing in this chapter.

[Statutory Authority: RCW 9.46.070.]

Rule Summary for the Rule Below

What we changed: The old rule defined "guest" by referring to the Liquor Control Board's authorized guest card.

Why: We removed that reference and added our own definition because the Liquor Control Board no longer issues guest cards.

230-15-004 "Charitable and nonprofit social card room" and "guest" defined.

"Charitable or nonprofit social card room" means the area of a charitable or nonprofit organization's premises set aside for the playing of social card games by full and regular members and their guests.

"Guests" means persons who are not members of a bona fide charitable or nonprofit organization, but who are allowed to use the facilities of the organization to play card games when accompanied by a regular member of the organization sponsoring the guest. Charitable and nonprofit organizations must not charge guests a fee to play that exceeds the maximum fee set by the commission.

[Statutory Authority: RCW 9.46.0311; RCW 9.46.0351; RCW 9.46.070.]

WAC 230-02-420 Social card room.

A social card room is that area of the premises of a bona fide charitable or nonprofit organization which has been specifically set aside or designated by the licensee and approved by the commission for the playing of cards by bona fide members of that organization and their guests only, in accordance with state law and the rules of the commission.

[Order 23, § 230-02-420, filed 9/23/74.]

230-15-005 Approving area of premises for-card games.

Card game licensees must only operate card games in the specific area of the premises we approve.

[Statutory Authority: RCW 9.46.070 (11), (14), and (20); RCW 9.46.0351.]

WAC 230-40-020 Portion of premises used for card playing limited.

Only those specific parts or portions of licensed premises which have been approved by the commission for licensed card games shall be used for that purpose. Card playing operating under the authority of a license issued by the commission involving wagers shall not take place upon any other portion or part of the premises. Social card games authorized by RCW 9.46.030(9) shall not be allowed by the organization in the same room or rooms with the licensed card games.

[Statutory Authority: RCW 9.46.070(20); RCW 9.46.0311; RCW 9.46.0325; RCW 9.46.0351 .]

230-15-006 Hours of play.

(1) Licensees must not allow the use of their premises for card playing between the hours of 2:00 a.m. and 6:00 a.m. unless we approve different hours.

(2) Licensees may request, in writing, different hours of operation. Once the request is received, we will consult with the local law enforcement agency having jurisdiction over the licensee's business and with other state agencies involved in regulation of the business. We may allow licensees to adjust closing hours, but licensees must:

- (a) Open the food and/or drink business being stimulated to the public for business any time licensees are conducting card games; and
- (b) Have a licensed card room employee on duty and in the licensed card room area at all times during the hours of operation of a Class E, Class F, or house-banked card room; and
- (c) Observe a four-hour period of closure at the end of each business day before beginning the next period of operation; and
- (d) Comply with any other terms and conditions we require.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-400 Hours for card games — Procedures for changing hours.

The hours during which card games may be played in licensed public card rooms shall be limited as follows:

(1) Licensees shall not allow the use of their premises for card playing between the hours of 2:00 a.m. and 6:00 a.m.: Provided, That the director may allow closing hours to be adjusted beyond 2:00 a.m. as long as the following conditions are met:

- (a) The director shall consult with the local law enforcement agency which has jurisdiction;
- (b) The director shall consult with other state agencies involved in regulation of the business;
- (c) A licensee must observe a four-hour period of closure at the end of each business day before beginning the next period of operation.
- (d) The food and/or drink business being stimulated shall be open to the public for business any time card games are conducted;
- (e) At all times during the hours of operation of a Class E, F or house-banked card room, a licensed card room employee must be on duty and in the licensed card room area; and
- (f) The licensee complies with any other terms and conditions imposed by the director.

(2) The director may deny the request for extended hours or revoke hours already approved if the local law enforcement agency or a state agency objects or if the director determines that the licensee has violated any provisions of

chapter 9.46 RCW, any other commission rule, or any of the terms set forth in subsection (1) of this section. All objections to changing a licensee's operating hours or requests to revoke an approved operating schedule must be submitted in writing.

(3) The commission shall afford a licensee an opportunity for a brief adjudicative proceeding prior to denying or revoking the licensee's authorization for extended card room hours. The brief adjudicative proceeding shall be heard by an administrative law judge, under the provisions set forth in WAC 230-50-010(6), and RCW 34.05.482 through 34.05.494.

[Statutory Authority: RCW 9.46.070(1)-(4), (7), (8), (11), (12), (14), (20) and 9.46.110 (3), (4).]

230-15-007 Authorized nonhouse-banked card games.

(1) Only the following nonhouse-banked card games are authorized:

- (a) Poker; and
- (b) Hearts; and
- (c) Pinochle; and
- (d) Cribbage; and
- (e) Rummy; and
- (f) Panguingue (Pan); and
- (g) Pitch; and
- (h) Bid Whist; and

(2) Card game licensees must operate these games in the manner explained in the most current version of *The New Complete Hoyle, Revised* or *Hoyle's Modern Encyclopedia of Card Games*. Card game licensees may make immaterial modifications to the games.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-010 Nonhouse-banked card games authorized.

(2) Nonhouse-banked card games shall only be played in the manner set forth in *The New Complete Hoyle, Revised*, *Hoyle's Modern Encyclopedia of Card Games*, or a similar authoritative book on card games approved by the director: Provided, That each licensee may make immaterial modifications to each authorized game set out in Hoyle. The following nonhouse-banked card games are authorized:

- (a) Poker;
 - (b) Hearts;
 - (c) Pinochle;
 - (d) Cribbage;
 - (e) Rummy;
 - (f) Panguingue (Pan);
 - (g) Pitch;
 - (h) Bid Whist;
-

230-15-008 Requirements for authorized card games.

- (1) In order for a game to be authorized, the game must:
 - (a) Be played with standard playing cards or with approved electronic card facsimiles; and
 - (b) Offer no more than two separate games with a single hand of cards. We consider bonus features and progressive jackpots separate games. If a player does not have to place a separate wager to participate, we do not consider it a separate game. An example of this is an "envy" or "share the wealth" payout when another player achieves a specific hand; and
 - (c) Not allow side bets between players; and
- (2) A list of all approved games and the rules of play are available at all commission offices and on the Commission website.
- (3) Card game licensees may use more than one deck of cards for a specific game. They also may remove cards to comply with rules of a specific game, such as pinochle or Spanish 21; and
- (4) Players must:
 - (a) Compete against all other players on an equal basis for nonhouse-banked games or against the house for house-banked games. All players must compete solely as a player in the card game; and
 - (b) Receive their own hand of cards and be responsible for decisions regarding such hand, such as whether to fold, discard, draw additional cards, or raise the wager; and
 - (c) Not place wagers on any other player's or the house's hand or make side wagers with other players, except for
 - (i). An insurance wager placed in the game of blackjack; or
 - (ii). An "envy" or "share the wealth" wager which allows a player to receive a prize if another player wins a jackpot or odds-based wager; or
 - (iii). A tip wager made on behalf of a dealer; and
- (5) A player's win or loss must be determined during the course of play of a single card game.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-010 Rules of play for all card games.

- (1) Social card games shall be played in the following manner:
 - (a) The game must be played with one or more standard decks of playing cards or with approved electronic card facsimiles which meet the requirements of WAC 230-40-070 (1)(c): Provided, That cards may be removed to comply with rules of a specific game, such as pinochle;
 - (b) Players shall compete against all other players on an equal basis for nonhouse-banked games or against the licensee for house-banked games;
 - (c) Each player shall receive their own hand of cards and be responsible for decisions regarding such hand, such as whether to fold, discard, draw additional cards, or raise the wager;

(d) Players shall not place wagers on any other player's or the house's hand and no side bets between players are allowed: Provided, That the following shall not be in violation of this section:

- (i) An insurance bet placed in the game of blackjack;
 - (ii) A tip wager made on behalf of a dealer; or
 - (iii) "Envy" provisions which allow a player to receive a prize if another player wins a jackpot or odds wager;
- (e) A player's win or loss shall be determined during the course of play of a single card game; and
- (f) No more than two separate games shall be played with a single hand of cards. For purposes of this section, bonus features and progressive jackpots are considered a game: Provided, That bonus features that allow a player to receive an additional prize if another player achieves a specific hand, such as "envy" or "share the wealth" features, shall not be considered a separate game if the player does not have to place a separate wager to participate.

....(3) cont'd

A list of all approved games, modifications to games, and rules of play shall be available at all commission offices.

The director may approve games in which the determination of whether a player wins or loses depends upon one or more of the following:

- (a) The player's hand is a specific:
 - (i) Pattern or ranking of cards (pair, straight, flush, royal flush, etc.);
 - (ii) Combination of cards (two queens of hearts, ace and jack of spades, three sevens, etc.); or
 - (iii) Value of the cards (seventeen, twenty-one, etc.); and/or
- (b) The player has a higher ranking or value hand than the house/dealer/banker.

230-15-010 Authorizing new games or changing game rules.

Card game licensees must operate only the card games we have specifically authorized. We authorize each new card game or changes to existing card games on an individual basis.

(1) Card game licensees must submit:

- (a) Requests for authorizing new card games in the format we require; and
- (b) Changes to an existing card game in writing.

(2) If we deny the licensee's request, we will notify the licensee in writing. The notification will include reasons for the denial and provide the licensee all information necessary for a petition to the commission for rule making.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-010 Social card games -- Rules of play -- Types of card games authorized.

Social card games shall be played using rules and procedures as set forth in this section. Only card games that have been specifically authorized are allowed to be played in public or social card rooms.

[Statutory Authority: RCW 9.46.070. (1), (2), (11), (14) and (20).]

(i) Other games or modifications to approved games may be approved by the director, or the director's designee, on a case-by-case basis. Requests for approval of a game must be submitted in writing, and include the rules of play and all wagering schemes.

Procedures for when a proposed game is denied.

(5) The licensee shall be notified in writing when the director denies a request for a new game or modification of a game. The notification shall include reasons for the denial and provide the petitioner all information necessary for a formal petition to the commission for rule making, amendments, or repeal, as set forth in WAC 230-50-800.

What we changed: In the past, staff allowed any licensee to object to a withdrawal of approval for a card game. We have changed the rule so that only an owner of the proprietary rights to the game may file an objection if we withdraw our approval of a game. For example, if we have seven card rooms running "Pai Gow Lucky Seven," and we decide to withdraw approval for that game, we would only allow the owner of the rights to "Pai Gow Lucky Seven" to object to the withdrawal. We also changed objection to "in writing."

Why: We have approved eighty-six card games. We have not withdrawn a card game since we've had permanent house-banked card game rules (2000), so the likelihood of withdrawal and the impact to licensees is minimal. Most games now are patented, so the owner or manufacturer would be in the position to make changes to prevent the withdrawal. Further, we do not track which licensees are running which card games. The objection must be in writing because we are creating a record for the ALJ and we can't do that with a verbal objection phoned to an agent.

230-15-011 Withdrawing approved card games.

If we withdraw our approval of a card game:

(1) We will give the licensee who owns the rights to the game written notice and an opportunity to object to the decision. If the licensee files an objection in writing, an administrative law judge will review the decision.

(2) We will provide written notice to impacted licensees after a final decision is made.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-010 Removing an approved game from play.

(4) Once a game is approved for play, the director shall not remove it from the authorized list of games without providing licensees written notice. Licensees shall be afforded an opportunity to object to the director's decision. If an objection is filed, an administrative law judge shall review the director's decision utilizing the brief adjudicative procedures set forth in WAC 230-50-010.

230-15-012 Limit on number of players at each table.

Card game licensees must only allow:

- (1) Up to seven players or areas for wagering at any table in house-banked card games.
- (2) Up to ten players at any table in nonhouse-banked card games.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-030 Number of tables and players limited.

No licensee shall allow more than fifteen separate tables at which card games are played. No licensee shall allow more than ten players for nonhouse-banked card games and seven players and/or areas for wagering at house-banked card games to participate at any one table at any given time. Each table shall be permanently numbered and readily identifiable by the licensee's surveillance system.

[Statutory Authority: RCW 9.46.070.]

Admin Team—where do the aggregate limits go?**230-15-013 Posting rules for play.**

Card game licensees must:

(1) Prominently post:

- (a) Wagering limits for each type of game, including the ante; and
- (b) Prize pay-outs and any prize-related restrictions; and
- (c) All fees to play; and
- (d) Policies on employees being allowed to play; and
- (e) Procedures for resolving player disputes.

(2) Prominently post any general rules, or a sign stating that these rules are available immediately on request. These rules include, at least:

- (a) Rules of play; and
- (b) Methods of making wagers; and
- (c) Procedures for misdeals; and
- (d) Procedures for betting irregularities; and
- (e) Procedures for splitting pots; and
- (f) Any rules that may restrict a player's right to win a hand, pot, or jackpot prize; and

(g) Any rules regarding aggregate limits. Remove if 3 is okay

(3) Post at the gambling table **any aggregate limits**, procedures, or restrictions that differ from the general rules of play that have been posted.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-505 Rules of play for social card games -- Display -- Posted rules.

(2) Any rules related to the following shall be conspicuously posted in a location readily visible by all players.

- (a) Wagering limits for each type of game, including the ante as specified in WAC 230-40-120(3);
- (b) Prize pay-outs and any restrictions related to prizes;
- (c) Whether employees are allowed to play;
- (d) Procedures for resolving player disputes; and
- (e) For player-supported jackpots (PSJ):
 - (i) How a PSJ will be distributed in the event it is discontinued or the business closes;
 - (ii) Conditions under which prizes may be won;
 - (iii) Prize amount;
 - (iv) Cost to participate;
 - (v) Administrative fees; and
 - (vi) Any other conditions which may affect the outcome of the game.

Rules available for review.

(3) Any rules related to the following shall be conspicuously posted in a location readily visible by all players: Provided, That if a licensee chooses not to post these rules, the licensee shall conspicuously post a sign in a location readily visible by all players stating that the rules are immediately available upon request for review by commission staff, local law enforcement, or a player:

- (a) Methods of making wagers;
- (b) Procedures for misdeals;
- (c) Procedures for betting irregularities;
- (d) Procedures for splitting pots; and
- (e) Any other rules that may restrict a player's right to win a hand, pot, or jackpot prize.

Rule Summary for the Rule Below

What we changed: The original rule states that the applicability of rules of play is determined by these priorities and lists the four priorities. We changed the language of the rule to emphasize that the order of priority is how we will *enforce* rules of play.

Why: We wrote the original rule to indicate how licensees should conduct games. The proposed change establishes that our enforcement is consistent with the rules for conduct of card games.

230-15-014 Enforcement of card game rules of play.

Card game licensees must conduct card games according to the approved rules of play. We enforce rules of play in the following order:

- (1) **First priority:** rules explained in Title 230 WAC; and
- (2) **Second priority:** rules explained by a licensed manufacturer of a patented game that we have approved; and

- (3) **Third priority:** rules explained in the most current version of *The New Complete Hoyle, Revised* or *Hoyle's Modern Encyclopedia of Card Games*; and
- (4) **Fourth priority:** house rules card game licensees have developed and we have approved.

[Statutory Authority: RCW 9.46.0282. RCW 9.46.070.]

WAC 230-40-505 Rules of play for social card games -- Display -- Availability for review.

Social card games shall be conducted in accordance with predetermined rules of play. Such rules shall be maintained on the licensed premises and immediately available, upon request, for review by commission staff, local law enforcement, or a player. The following requirements apply to rules of play:

Precedence of rules.

(1) The applicability of rules of play shall be as determined by the following precedence, in order of importance:

- (a) **First priority:** Codified rules set forth in Title 230 WAC;
- (b) **Second priority:** Specific rules set forth by a licensed manufacturer of a patented game and approved under WAC 230-40-010;
- (c) **Third priority:** Rules set forth in *The New Complete Hoyle, Revised*, *Hoyle's Modern Encyclopedia of Card Games*, or a similar authoritative book on card games approved by the director: Provided, That licensees may make immaterial modifications to game rules set forth in Hoyle; and
- (d) **Fourth priority:** House rules developed by the licensee and approved by commission staff.

[Statutory Authority: RCW 9.46.070. 01-13-091 (Order 403), § 230-40-505, filed 6/19/01, effective 7/20/01.]

What we changed: We removed this rule entirely.

Why: The original rule was passed in 1974. No game rules would allow licensees to change the method of wagering in the middle of a hand or game, so we felt the rule was unnecessary. We also have alternative ways to enforce this concept: we would not approve a game in future that allowed wagering methods to change in mid-hand or mid-game.

~~WAC 230-40-140 Change in method of wagering prohibited.~~

~~Once a method of betting is chosen for a particular hand or game, that method must be used until the hand or game is completed.~~

~~[Order 23, § 230-40-140, filed 9/23/74.]~~

230-15-015 Fee restrictions for nonhouse-banked card games.

(1) The licensee must collect the same fee from all players at a table. If the licensee allows free play, then all players at a table must be allowed to play for free. If card game licensees base their fees on a period of time, they may allow card room employees and owners to play without a fee.

(2) Card game licensees must not require players to pay for or purchase any other goods or services as a condition of playing cards; and

(3) Card game licensees may collect an admission fee when providing entertainment, as long as they charge all patrons the fee.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-050 Fees for nonhouse-banked card games -- Assessment and collection -- Maximum fees.**No extra fees to play cards - exceptions.**

(4) No player shall be required to pay for or purchase any other goods or services as a condition of playing cards: Provided, That:

(a) A bona fide nonprofit or charitable organization may charge its usual membership fee to belong to the organization; and

(b) Licensees may collect an admission fee when providing entertainment, as long as the fee is charged to all patrons;

Same fee for all players - exception.

(7) The licensee shall collect the same fee from all players at a table. If the licensee elects to allow free play, then all players at a table must be allowed to play for free: Provided, That a licensee may allow licensed card room employees and owners to play without a fee if fees are based on time, as authorized by subsection (1)(a) of this section.

[Statutory Authority: RCW 9.46.0281, 9.46.070 (1), (2), (4)-(8), (11), (12), (14) and (20). RCW 9.46.070 (1)-(4), (7), (8), (11), (12), (14), (20) and 9.46.110 (3), (4). Statutory Authority: RCW 9.46.070 (1), (2), (4), (5), (6), (9), (11), (14) and (17) and 9.46.020 (19) and (23). RCW 9.46.020 (20)(d), 9.46.050(3) and 9.46.070 (1), (2), (5), (8), (9), (11) and (12).]

230-15-015a Charging and collecting fees for nonhouse-banked card games.

Nonhouse-banked card game licensees must:

(1) Not charge fees, directly or indirectly, in excess of those fees set forth in this section, except that nonprofit or charitable card game licensees may charge their usual membership fee to belong to the organization.

(2) Keep all fee collections separate from all other chips and cash until they record the fees in the daily card room records and deposit the fees in the cashier's cage (if applicable). All chips and cash in the cashier's cage must be kept separate from all other chips and cash located on the licensed premises at all times card games are conducted.

- (3) Keep and record fees separately from all other fees and have the records available for audit by commission staff, local law enforcement, and taxing authorities.

[Statutory Authority: RCW 9.46.070.]

230-15-015b Authorized fees and authorized methods of collection.

Card game licensees must assess only one type of fee at a table at any given time. Authorized types of fees, card game licensees authorized to use those types, and authorized methods of collection and requirements are:

Authorized types of fees	Card game licensees authorized to use the fee types	Authorized methods of collection
<p>(1) Period of time –</p> <ul style="list-style-type: none"> (a) Card game licensees may charge a fee of not more than ten dollars per hour, per player; and (b) Card game licensees must collect the fee at least once per hour at times the licensee chooses, for example, at thirty minute increments; and (c) Card game licensees must record all fees immediately after collection; or 	<p>Class A, B, C, E; Class F licensees must only use direct collection when basing fees on period of time.</p>	<p>Direct Collection; or Chip rack - only allowed if licensed for three or fewer tables; or Drop box.</p>
<p>(2) Per hand played –</p> <ul style="list-style-type: none"> (a) Card game licensees may charge a fee of not more than one dollar per hand, per player; and (b) Players must place fees charged on a per-hand basis in a designated area of the table and dealers must collect them before dealing the first round of cards; and (c) After collecting the fees, dealers must deposit all chips or coins in either the drop box or chip rack ; or 	<p>Class F</p>	<p>Drop box; or Chip rack - only allowed if licensed for three or fewer tables.</p>
<p>(3) Rake –</p> <ul style="list-style-type: none"> (a) Only Class F and house-banked licensees may use this type of fee; and (b) Class F and house-banked licensees may charge a fee of not more than five dollars per hand or ten percent of the total wagers for a hand, whichever is less; and (c) Dealers must collect fees charged on the amounts wagered during the play of the hand and place the fees in a 	<p>Class F</p>	<p>Drop box; or Chip rack - only allowed if licensed for three or fewer tables.</p>

designated area of the table; and (d) Once dealers accumulate the maximum fee for a hand, they must spread the chips or coins to allow players and the surveillance system to view the amount collected. After spreading the chips or coins, the dealer deposits them in either the drop box or chip rack.		
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What we changed: We took out a sentence that stated that the director could authorize alternative methods of collection.

Why: There are no alternative methods of collection that we are aware of.

230-15-015 c Requirements for authorized methods of collecting fees

(1) **Direct collection** – Card game licensees using the direct collection method must have a licensed card room employee other than the dealer collect fees directly from each player and deposit the fees in the bank area serving the card room.

(2) **Drop box** – Fees are temporarily stored in a numbered, locked drop box. Card game licensees using the drop box method must have:

- (a) A licensed dealer; and
- (b) A table with a designated area for each type of fee, or fees, removed from the pot; and
- (c) A separate drop box for each type of fee; or

(3) **Chip rack** – Card game licensees using the chip rack method must:

- (a) Have a licensed dealer; and
- (b) Use a game lay-out with a designated area for player fees; and
- (c) Use a chip rack separated into sections for each type of fee collected; and
- (d) Ensure that dealers temporarily store and control fees in the chip rack until the floor supervisor collects the fees; and
- (e) Ensure that the licensed card room employee responsible for that area of the card room remove all chips collected as fees from the dealers' chip racks at least every four hours; and
- (f) Have licensed card room employees count chips and coins in the presence of players and immediately record the totals on the record in a format we require.
- (g) Have the dealer and floor supervisor who remove the chips and coin each initial the commission record verifying its accuracy.

[Statutory Authority: RCW 9.46.070.]

230-15-015b Requirements for drop boxes.

Drop box means a metal container attached to each gambling table into which the dealer must deposit all chips and cash collected during play and, if required, insert card room control slips

(1) When using the drop box method for collecting fees, nonhouse-banked card game licensees must locate the drop box in a position that is isolated from the pot area and in plain view of all players and the surveillance system.

(2) Each drop box must have:

- (1) **A box lock** — A lock securing the contents; and
- (2) **A table lock** — A separate lock securing the drop box to the gambling table. Card game licensees must key this lock differently from the lock securing the contents of the drop box; and
- (3) **An opening** — An opening through which chips and forms can be inserted into the drop box and located in a position that is isolated from pot areas and in plain view of all players and the surveillance system; and
- (4) **A label** — A permanent number clearly visible and which corresponds to a permanent number on the gambling table to which the box is attached. The shift during which the box was used must also be included if drop boxes are removed from tables more than once during an operating day. Card game licensees may keep emergency drop boxes if the box has the word "emergency" permanently on it, and, when it is put into use, licensees temporarily mark it with the number of the gambling table.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-050 Fees for nonhouse-banked card games -- Assessment and collection -- Maximum fees.

No person shall be charged a fee, directly or indirectly, to play in a nonhouse-banked card game in excess of those fees set forth in this section. Each type of fee shall be maintained and recorded separately from all other fees and be available for audit by commission staff, local law enforcement, and taxing authorities.

Assessing fees.

(1) The following are authorized methods of assessing fees for playing social card games. Only one method of assessing fees may be used at a table at any given time:

- (a) **Fees based on a period of time** - A specific fee of not more than ten dollars per hour, per player, may be charged to play social card games: Provided, That a licensee may collect the hourly fee in thirty-minute increments;
- (b) **Fees for each hand played** - A specific fee of not more than one dollar per hand, per player, may be charged to play social card games;
- (c) **Fees based on the amounts wagered during a hand (rake)** - A portion of the total amount wagered by a player, not to exceed five dollars per hand or ten percent of total wagers for a hand, whichever is less, may be collected for playing social card games; or....

Collecting fees.

(2) Fees shall be collected by a licensed card room employee in the following manner:

(a) **Period of time.** Fees assessed on a period of time shall be collected directly from each player by the dealer or floor supervisor responsible for that particular section of the card room. The "direct collection," "chip rack," or "drop box" methods set forth in this section may be used for collection of fees assessed on a period of time;

(b) **Per-hand fee.** Fees assessed on a per-hand basis shall be placed in a designated area of the table by the player and collected by the dealer before the first round of cards has been dealt. After collection, the dealer shall deposit all chips or coins in the chip rack or drop box, as applicable;

(c) **Rake.** Fees assessed on the amounts wagered during a game shall be collected by the dealer during play of the hand and placed in a designated area of the table. Once the maximum fee for a hand is accumulated, the dealer shall spread the chips or coins to allow players and the surveillance system the ability to verify the amount collected. After verification, chips shall be deposited in the dealer's chip rack or drop box, as applicable;

... (e) **Alternative collection of fees.** Licensees may apply to the director for approval of alternate fee collection methods. If approved, the method of collection shall be set forth in the letter granting approval.

Methods of collection.

(3) All fees collected from players shall be maintained and recorded as set forth in WAC 230-40-052. All collections shall be kept separate from all other chips and cash in the card room until recorded in the daily card room records and deposited in the cashier's cage. All chips and cash in the cashier's cage shall be kept separate from all other chips and cash located on the licensed premises at all times card games are conducted. The following methods may be used for control of fees collected for card games:

(a) **Direct collection method** - This collection method may only be used when assessing fees based on a period of time. Fees are collected directly from each player by a licensed card room employee responsible for that particular section of the card room and deposited in the card room cage serving the area of the card room from which collections are made. Collections shall be made at least once per hour, at times designated by the licensee. All fees shall be recorded immediately upon collection, per WAC 230-40-052.

(b) **Chip rack method** - This method is allowed for licensees that are licensed with three or fewer tables. It requires a licensed center dealer, a game lay-out with a designated area for player fees, and a chip rack separated into sections for each type of fee collected. Fees are temporarily stored in the chip rack and controlled by a licensed dealer until collected by the floor supervisor. All chips collected as fees shall be removed from the dealer's chip rack at least every four hours by the licensed card room employee responsible for that particular section of the card room. The removal process shall include the counting of chips and coins in the presence of players and immediately recording the totals on the

record prescribed by the commission. The dealer and the supervisor making the removal shall each initial the prescribed record verifying its accuracy.

(c) **Drop box method** - Fees are temporarily stored in a numbered, locked drop box. The drop box method requires a center dealer, a table with a designated area for each type of player fee and/or fees removed from the pot, and a separate drop box for each type of fee. Drop box movement, storage, and counting shall be conducted as prescribed in WAC 230-40-840. The drop box shall be located in a position that is isolated from the pot area and in plain view of all players and the surveillance system.

WAC 230-40-840 Drop boxes -- House-banking -- Drop box collection method.

(c) **Drop box method** - Fees are temporarily stored in a numbered, locked drop box. The drop box method requires a center dealer, a table with a designated area for each type of player fee and/or fees removed from the pot, and a separate drop box for each type of fee. Drop box movement, storage, and counting shall be conducted as prescribed in WAC 230-40-840. The drop box shall be located in a position that is isolated from the pot area and in plain view of all players and the surveillance system.

All card room licensees operating house-banked card games or collecting fees utilizing the drop box collection method (WAC 230-40-050) shall use a drop box. Drop boxes shall be constructed and controlled in a manner to provide security of contents and shall meet the following requirements and procedures:

Drop box requirements.

(1) Each gaming table shall have attached to it a metal container known as a "drop box" into which all cash, duplicate fill slips and credit slips, request for fills, request for credits, and table inventory forms shall be deposited.

(2) Each drop box shall have the following:

Box lock.

(a) A lock securing the contents. The key to this lock shall be maintained and controlled by the accounting department;

Table lock.

(b) A separate lock securing the drop box to the gaming table. This lock shall be keyed differently from the lock securing the contents of the drop box. The key utilized to unlock this lock shall be maintained and controlled by the security department;

Opening on box.

(c) An opening through which currency, coins, chips, forms, records and documents can be inserted into the drop box;

Labeling drop boxes.

(d) Permanently imprinted or impressed thereon and clearly visible, a number corresponding to a permanent number on the gaming table to which it is attached and a marking to indicate the game. The shift shall also be included if drop boxes are removed from tables more than once during an operating day: Provided, That emergency drop boxes may be maintained without such number or marking, if the word "emergency" is permanently imprinted or impressed thereon, and when put into use, are

temporarily marked with the number of the gaming table and identification of the game and shift.

Rule Summary got rid of "that business day" because there's no practical way to enforce unless we search everyone leaving the premises.

230-15-016x Only authorized cards or chips may be used.

(1) No one may bring a playing card or cards into a licensed card room to introduce or use in authorized card games.

(2) No one may bring any wagering chip or chips, other than those chips obtained from the licensed card room, into a licensed card room to introduce or use in authorized card games.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-080 Person not to bring their own cards or chips.

No person shall bring onto a premises licensed to allow the playing of card games, nor introduce into any card game, any playing card or cards, or any poker chip or chips for use in wagering, other than those obtained from the licensee on that business day.

[Order 40, § 230-40-080, filed 6/26/75; Order 23, § 230-40-080, filed 9/23/74.]

What we changed: We included Class B and Class C Charitable or Nonprofit card game licensees in this rule.

Why: These classes were inadvertently left out of the original rule.

230-15-016 Providing cards and chips in card rooms

(1) Card game licensees, except for Class D licensees, must supply all chips and cards and not allow any other chips or cards to be used on their premises.

(2) Card game licensees must not charge additional fees to players for chips and cards except as allowed under **WAC 230-15-100.**

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-070 Licensee to furnish all cards, chips and other services.

Each public card room and Class A social card room licensee shall furnish all chips and cards in connection with all card games conducted on its premises at no additional charge to the players, except as provided in WAC 230-40-050(6).

[Statutory Authority: RCW 9.46.070 (1), (2), (4), (5), (6), (11), (14) and (17) and 9.46.0282. 9.46.0281.]

230-15-017 Standards for chips.

(1) Chips must be of conventional size and design that maximize the integrity of the card games. Chips must be identifiable as belonging to the licensee and must:

- (a) Include the house name or logo; and
- (b) Denote the chip value; and
- (c) Be made by a licensed manufacturer; and
- (d) Be purchased from a licensed manufacturer or distributor.

(2) Class D licensees are exempt from subsection (1).

(3) Card game licensees must:

- (a) Safeguard all chips in their possession; and
- (b) Not allow any other person to buy or sell chips for use in card games on their premises.

(4) We exempt Class A, B, C, and E licensees with five or fewer tables from including a house name or logo if the chips are identifiable as belonging to the licensee and they prominently post values of the chips in the card room.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-070 Licensee to furnish all cards, chips and other services.

All chips and cards shall be of generally conventional size and design, and include safeguards that maximize the integrity of the card games. The following standards and procedures apply to this section:

(1) The licensee shall furnish chips and cards that meet the following requirements:

(a) **Chips.** Chips must include the house name or logo, clearly denote the chip value, be produced by a licensed manufacturer, and purchased from a licensed manufacturer or distributor: Provided, That the director may exempt Class A, B, C, and E licensees with five tables or less from this provision if chips are readily identifiable as having been furnished by that particular licensee and values of chips are clearly posted in the card room: Provided further, That Class D licensees are exempt from the provisions set forth in this subsection; and ...Licensees shall not allow

(4) (b) Any cards or chips which are not furnished by the licensee to be used in any card game conducted upon its premises; or

(c) Any other person to buy or sell chips for use in card games upon its premises.

230-15-018 Standards for cards.

(1) Card game licensees must:

- (a) Supply cards of conventional size and design to maximize the integrity of the card games; and
- (b) Safeguard all cards; and
- (c) Not allow cards that have been modified or marked in any manner.

(2) For Class E, Class F, and house-banked games, the cards must:

- (a) Be made by a licensed manufacturer; and
- (b) Be purchased from a licensed manufacturer or distributor.

(3) House-banked licensees must use cards with the house name or logo.

[Statutory Authority: RCW 9.46.070.]

**WAC 230-40-070 Licensee to furnish all cards, chips and other services.
Standards for chips and cards.**

(1) (b) **Cards.** For all house-banked card games, the deck or decks of cards must meet the following requirements:

- (i) Include the house name or logo;
- (ii) Be produced by a licensed manufacturer; and
- (iii) Be purchased from a licensed manufacturer or distributor.

...Protecting the integrity of cards and chips.

(4) The licensee shall safeguard all chips and cards to assure integrity of games. Licensees shall not allow:

- (a) Playing cards that have been shaved, sanded, cut, carved, or otherwise marked in any manner which may make certain cards identifiable to players other than as allowed by the rules of the particular game.
- (b) Any cards or chips which are not furnished by the licensee to be used in any card game conducted upon its premises; or
- (c) Any other person to buy or sell chips for use in card games upon its premises.

230-15-101 Fees for cutting cards in player-dealt games.

In player-dealt games:

(1) After the shuffle the dealer must offer the cards for a cut. After this initial offer of a cut, the dealer may require that players pay a maximum of one dollar for cutting the cards.

(2) Dealers must:

- (a) Not cut the cards more than twice during each hand or game; and
- (b) Place all the fees for cutting the cards into the pot for that hand or game.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-063 Charge for cutting cards.

After the shuffle, the dealer will offer the cards for a cut. Following this initial offer of a cut, the licensee may require that a player pay not more than one dollar for the privilege of cutting the cards, provided that the cards may not be cut more than twice during each hand or game and that any and all such fees be placed into the pot for that hand or game.

[Statutory Authority: RCW 9.46.070 (8) and (11).]

230-15-019 Wagering limits for nonhouse-banked card games.

Card room licensees must not exceed these wagering limits:

(1) **Poker -**

- (a) There must be no more than five betting rounds in any one game; and
- (b) There must be no more than four wagers in any betting round, for example, the initial wager plus three raises; and
- (c) The maximum amount of a single wager must not exceed twenty-five dollars; and

(2) **Games based on achieving a specific number of points -** Each point must not exceed five cents in value; and

(3) **Ante -** No more than the maximum wager allowed for the first betting round for any game, except for panguingue (pan). The ante may, by house rule:

- (a) Be made by one or more players, but the total ante may not exceed the maximum wager allowed for the first betting round.
- (b) May be used as part of a player's wager;

(4) **Panguingue (pan) -** the maximum value of a chip must not exceed ten dollars. An ante must not exceed one chip. We prohibit doubling of conditions. Players going out may collect no more than two chips from each participating player.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-120 Limits on wagers in card games.

Social and public card room licensees shall not allow wagering limits set by the commission to be exceeded in any card game. The number and value of wagers in card games are limited as follows:

Nonhouse-banked card games.

(1) **Poker:**

- (a) There shall be no more than five betting rounds in any one game;
- (b) The maximum number of wagers in any betting round shall be four, comprised of an initial wager plus three raises; and
- (c) The maximum amount of a single wager shall not exceed twenty-five dollars;

(2) **Games based on achieving a specific number of points -** each point shall not exceed five cents in value;

(3) **An ante, except for panguingue (pan),** shall not be more than the maximum wager allowed for the first betting round for any game. The ante may, by house rule, be made by one or more players, but the total ante may not exceed the maximum wager allowed for the first betting round. An ante, by house rule, may be used as part of a player's wager;

(4) **Panguingue (pan) -** the maximum value of a chip for a payoff shall not exceed ten dollars. An ante will not exceed one chip. Doubling of conditions is prohibited. Players going out may collect not more than two chips from each participating player;

[Statutory Authority: RCW 9.46.020 (20)(d);RCW 9.46.070 (1), (2), (8), (10), (11) and (14) and RCW 9.46.110; RCW 34.05.220(4), [34.05]]

230-15-020 Wagering limits for house-banked card games.

- (1) A single wager and bonus wagers for an odds-based payout must not exceed two hundred dollars.
- (2) A player may make a single wager for each decision before the dealer deals or reveals additional cards. For blackjack, the player may place an additional wager for doubling down or splitting pairs.
- (3) Bonus wagers for progressive jackpots must not exceed one dollar.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-120 Limits on wagers in card games.

- (5) Licensees authorized to conduct house-banked card games shall not allow a single wager to exceed two hundred dollars;
- (6) A single wager may be made for each decision made by the player before additional cards are dealt or revealed. In addition, for blackjack, an additional wager may be placed for doubling down or splitting pairs; and
- (7) Bonus wagers for house-banked progressive jackpots shall not exceed one dollar. Bonus wagers with a predetermined prize amount based upon a separate element of chance within the same game shall not exceed the authorized maximum table limits as described in subsection (5) of this section.

[Statutory Authority: RCW 9.46.020 (20)(d);RCW 9.46.070 (1), (2), (8), (10), (11) and (14) and RCW 9.46.110; RCW 34.05.220(4), [34.05]]

230-15-021 Making wagers with chips and coin.

Players in card games must make all wagers and pay fees to play card games with chips, except that:

- (1) Players may use half dollars or quarters in house-banked card games.
- (2) Players may use dimes and nickels in pai gow poker.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-130 Wagers to be made with chips only.

All wagers and fees to play made in connection with a card game shall be made with chips furnished by the licensee: Provided, That house-banked card games may use coins with a value of fifty cents or twenty-five cents: Provided further, That coins with a value of less than twenty-five cents may be used for pai gow poker games.

[Statutory Authority: RCW 9.46.070. 00-09-052 (Order 383), § 230-40-130, filed 4/14/00, effective 5/15/00; Order 23, § 230-40-130, filed 9/23/74.]

What we changed: Added in section (6).

Why: We clarifying original rule language about separate transactions for each purchase. In particular, we wanted to emphasize that checks, once received by the cashier, cannot be altered. Players must write a second check if they want to buy more chips later, instead of altering a check already received at the cashier's cage.

230-15-022 Selling and redeeming chips.

Card game licensees must:

- (1) Sell chips and redeem chips at the same value; and
- (2) Keep all funds from selling chips separate and apart from all other money received; and
- (3) Sell chips for cash or check, if the check meets the requirements of WAC 230-06-005; and
- (4) Deposit any check no later than the second banking day after they received the check; and
- (5) Not extend credit to a person purchasing chips, including to card room employees playing cards; and
- (6) Count each transaction for the purchase of chips as a separate transaction; for example, do not allow a player's check to be altered after it is exchanged for chips.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-070 Licensee to furnish all cards, chips and other services. Bank services.

(2) The licensee shall sell its chips to all players desiring to buy them and redeem all chips at the value for which they were sold. The licensee shall collect the money taken in on chips sold and fees collected and shall keep these funds separate and apart from all other money received by the licensee.

Selling chips for cash or check.

(3) Chips shall be sold for cash only and a licensee shall not extend credit of any nature to a person purchasing chips: Provided, That a licensee may accept a check in accordance with WAC 230-12-053 and 230-40-845. Each receipt by a person of a quantity of chips from the licensee shall be a separate transaction for the purpose of this rule. Checks received for chips retained by the licensee after close of business shall be deposited by the licensee not later than the second day following receipt upon which the licensee's bank is open for business.

230-15-023 Keeping records of returned checks.

(1) Card game licensees may use a guarantee service to pre-approve checks. The bank may send the original dishonored check to the guarantee service.

(2) If card game licensees do not use a guarantee service or choose not to use their guarantee service to pre-approve a particular check, licensees must:

- (a) Keep records of all returned checks in the format we require and make the records available to the cashier; and
- (b) Prohibit persons who submitted dishonored checks from submitting additional checks until the person pays the amount owed in full; and
- (c) Have all dishonored checks returned directly to them and control the checks.

(3) Card game licensees may immediately redeposit a check that was dishonored if they have sufficient reason to believe the check will be honored the second time.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-845 Procedures for exchange of checks submitted by gaming patrons at cashier's cage.

(5) All checks dishonored by a bank (returned checks) shall be returned directly to, and controlled by, accounting department employees: Provided, That if a collection agency is used which maintains dishonored checks, a photocopy of the check shall be sufficient.

(6) Records of all returned checks shall be maintained by accounting department employees and shall be available to cashiers. Such records shall include, at a minimum, the following:

- (a) The date of the check;
- (b) The name of the drawer of the check;
- (c) The amount of the check;
- (d) The date(s) the check was dishonored; and
- (e) The date(s) and amount(s) of any collections received on the check after being returned by a bank.

(7) If a check is dishonored, the name of the person who submitted the check shall be kept in a log and available to the cashier. Such person shall be prohibited from submitting additional checks until the amount owed is paid in full: Provided, That a check dishonored by a bank may be immediately redeposited if there is sufficient reason to believe the check will be honored the second time.

[Statutory Authority: RCW 9.46.070. 00-09-052 (Order 383), § 230-40-845, filed 4/14/00, effective 5/15/00.]

230-15-024 Providing dealers.

(1) "Dealer" means a licensed card room employee that conducts card games, deals cards, collects or pays off players' bets, or collects fees. Card room licensees:

- (a) May provide a dealer in any card game; and
- (b) Must have a dealer for all house-banked card games, card games operated with a player-supported jackpot, or card games authorized to charge per-hand fees or take a rake.

(2) Dealers must not play in the games while dealing and must have no financial interest in the outcome of the games, except that we allow tip wagers.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-225 House dealer allowed in certain games.

Any licensee may furnish a dealer in any game played on the licensed premises. Dealers shall have no financial interest, directly or indirectly, in the outcome of such game and shall not otherwise participate or play in the game: Provided, That a licensee shall be required to have a house dealer for all house-banked card games, card games operated with a player-supported jackpot, or card games authorized to assess fees for each hand played or fees based on amounts wagered.

[Statutory Authority: RCW 9.46.070. (1)-(4), (7), (8), (11), (12), (14), (20) and 9.46.110 (3), (4).]

Combined with 024

WAC 230-40-562 Dealer defined.

A dealer is a licensed card room employee who is responsible for conducting card games and deals cards, collects and pays off players' bets, and collects fees. The dealer shall also be responsible for signing forms as required.

[Statutory Authority: RCW 9.46.070. 00-09-052 (Order 383), § 230-40-562, filed 4/14/00, effective 5/15/00.]

What we changed: We removed the requirement that photos of card room employees be posted in the card room.

Why: When the house-banked card game license was introduced in 1997, we removed the requirement for employers to post these photos because of safety and privacy concerns of card room employee licensees. It is also unreasonable to require licensees to post the photos of eighty to ninety employees.

230-15-025 Photos of card room employees required.

Card game licensees must have photographs of their licensed card room employees with the employees' licenses, available for inspection on the premises. The photo must be of a passport type not less than 2" x 3" and clearly show a full facial view of the employee.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-450 Pictures to be posted with employee licenses.

The operator of a licensed public card room shall post together with each of the licenses of employees for which licenses are required a picture of that employee.

Such picture shall be of a passport type not less than 2" x 3" and clearly showing a full front facial view of that employee.

[Statutory Authority: RCW 9.46.070 (4), (7), (8) and (11). 83-06-077 (Order 127), § 230-40-450, filed 3/2/83.]

230-15-026 Playing for or assisting others prohibited.

No person may:

- (1) Allow a representative to sit in on a card game on their behalf for any purpose.
- (2) Allow anyone to render assistance to any player in the game in a manner which gives that player an advantage over other players.
- (3) Act as such a representative.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-230 No person shall have someone play for him or assist another participant.

No persons shall allow a representative to sit in on a card game on his behalf for any purpose, or to render assistance to any participant in the game in a manner which gives that participant an advantage over other participants. No person shall act as such a representative.

[Order 23, § 230-40-230, filed 9/23/74.]

What we changed: In the original rule, we required licensees to notify local law enforcement immediately. The new rule matches the current practice of reporting cheating in which they notify us within three days.

Why: We wanted to make the rule match the current practice.

230-15-027 Preventing cheating in card games.

- (1) Card game licensees must take necessary steps to prevent cheating and ensure that games are played fairly.
- (2) If card game licensees find someone cheating, they must report it to us within three business days and contact the local law enforcement agency immediately in urgent situations.

[Statutory Authority: RCW 9.46.070; RCW 9.46.153.]

WAC 230-40-250 Licensee to prevent cheating in card games.

A licensee to allow certain premises to be used to play cards and his employees or agents shall not allow any player to play in such a manner as to cheat the persons with whom he is playing. The licensee shall take all necessary steps to prevent this and shall be responsible to insure that the games played upon the licensed premises are fairly played.

Any incident wherein a person is found cheating shall be reported immediately to the applicable local police or sheriff's office.

[Statutory Authority: RCW 9.46.070(10). 78-06-066 (Order 85), § 230-40-250, filed 5/25/78; Order 23, § 230-40-250, filed 9/23/74.]

What we changed: We are changing the amount of time within which we must receive notice of a card room employee terminating employment. The original rule required they report to us "not later than 5 p.m. on the seventh day" after the card room employee terminates employment. We have changed that to "within ten days of the employee terminating."

Why: The change is less restrictive than the previous rule and provides a reasonable amount of time for the licensee to respond. We have attempted in other rules to standardize the timing of reporting by requiring notice within thirty days; however, in this case, thirty days is not a reasonable amount of time because field staff needs to know who is working in a particular location at a given time.

230-15-028 Reporting card room employees no longer working.

Card game licensees, except Class B or Class D, must notify us in writing when a card room employee no longer works for them. We must receive the notice at our Lacey office within ten days of the card room employee terminating employment.

[Statutory Authority: RCW 9.46.070.]

WAC 230-04-142 Notification to the commission upon beginning, terminating, or changing employment -- Public card room employees.

A licensed public card room operator shall notify the commission in writing when a card room employee has begun work in the card room or has terminated employment for any reason.

(1) The notification shall be submitted on a form provided by the commission.

(2) Each notification shall be completed on or before the card room employee's first day of work or when the employer determines the card room employee will no longer be working, as applicable, and shall reach the administrative office of the commission in Lacey, not later than 5 p.m. on the seventh business day following the employee's first day of work or last day of work, as applicable.

~~(3) ((The fee for transferring, adding, or converting from Class III shall be set forth in WAC 230-04-204 and will be paid by the card room employee at the time of license renewal.))~~

A fee must be paid when a licensed card room employee or certified class III employee begins working at another location. The fee is in WAC 230-04-204 and must be paid prior to beginning work at the new location.

(4) This rule shall not apply to persons operating a public card room under a Class B or Class D license only.

General Records and Recordkeeping for Card Rooms

Rule Summary for Rule Below

What we changed: We are removing this rule.

Why: This rule was originally passed in 1982 and no longer reflects card room practices. Most card rooms are using the rake method to collect fees and aren't charging on a time basis. Licensees may also give away food and nonalcoholic drinks without charge now according to 230-06-035 (formerly 230-12-050).

~~WAC 230-40-315 No food or drink sales on time basis in card room.~~

~~All sales of food or drink in the licensed card room must be charged for and collected at the time the food or drink is delivered to the customer. No licensee may charge a person playing cards in a licensed card room for food or drink on a time basis. For the purpose of determining whether a card room operator is operating the licensed card room as a commercial stimulant, the calculation of gross sales of food and drink shall not include any sale of food or drink on a time basis to a person playing cards in the licensed card room.~~

~~For purposes of this rule, a "time basis" means a charge for the consumption or opportunity to consume food or drink over a period of time.~~

~~[Statutory Authority: RCW 9.46.020(5) and 9.46.070(14).]~~

Rule Summary for the Rule

What we changed: We changed the requirement for when monthly records must be printed or backed up in a permanent form from "on a periodic basis" to a less ambiguous length of time: once per month.

Why: The previous language was vague.

230-15-029 Preparing card room records.

(1) Card game licensees must prepare all records in the format we require. Card game licensees must record the data in ink, on storage media, or in other permanent form.

(2) Card game licensees must print, or back up in a permanent form, all the data kept in computer databases monthly.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-052 Daily records -- Card games (cont'd) Daily summary.

(5) A daily summary record that includes a reconciliation of all fees collected during an operating day shall be prepared for each day card games are operated and fees collected. This record shall include at least the following:

- (a) The name of the licensed card room;
- (b) The date of the activity. If the activity spans two days, the day that the activity begins shall be recorded;
- (c) Card room hours of operation;
- (d) The beginning and ending balances of all chips and cash in the cage;
- (e) The printed name and signature of person(s) preparing the record; and
- (f) Such other daily records as required for specific card room activities.

WAC 230-08-010

WAC 230-40-052 Daily records -- Card games (cont'd)

Daily card room records shall be maintained as follows:

Minimum daily records.

In addition to any other requirements set forth in these rules, persons licensed to operate card rooms at which a fee is charged to play or which operates a player-supported jackpot (PSJ) or house-banked card games shall be required to prepare a detailed record covering each day of operation. Each separate record shall be maintained continuously during hours of operation and entries made as required by this section.

Format.

(1) The format for such records shall be as prescribed by the commission. The records shall include information to be placed in a form, record, document, or in stored data which shall be annotated in ink or other permanent form. Data maintained in computer data bases must be printed on a periodic basis.

(2) Separate records shall be prepared for each day social card games are played and fees collected or house-banked card games are operated. Such records shall be completed for each table and each PSJ for which fees are collected from players. The minimum daily records shall include the following information:

- (a) The date and time period during which fees were collected or house-banked card games were operated.
- (b) The assessment method and the fee charged per assessment method for each table.
- (c) The names and time of play for each nonpaying house player (which may only include licensed card room employees and the licensed card room operator);
- (d) The amount of fees collected at each table at each collection interval;
- (e) The gross amount received from fees collected on each operating day by table and by assessment method.
- (f) The number of players at the time of fee collection when fees are assessed based on a period of time;
- (g) A record of card room employees and hours worked; and
- (h) The total drop which includes all cash placed in drop boxes and the net win or loss by the table and game type from house-banked card games.

[Statutory Authority: RCW 9.46.070 (8), (14), and (17), RCW 9.46.0325.]

230-15-030 Keeping and making daily records available.

Card game licensees must:

- (1) Keep the daily records of card room operations for at least three years.
- (2) Keep the past six months of daily card room records on the premises of the card room and have them available for inspection.
- (3) Make other records available within forty-eight hours if we, local law enforcement, or taxing authorities request the records.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-052 Daily records -- Card games (cont'd)**Availability and length of storage.**

(6) All detailed records prepared shall be maintained for a period of not less than three years. At least the past six months of records must be available for inspection on premises. All other records shall be available within forty-eight hours upon request by commission staff, local law enforcement or taxing authorities.

What we changed: We are removing this rule.

Why: This rule was combined with rules covering the licensing of card room employees and now appears in WAC 230-03-265 of the Licensing Chapter.

~~WAC 230-02-415 Card room employee defined.~~

~~A "card room employee" is any person who is involved in the operation of social card games conducted by a card room when such games involve the collection of fees.~~

~~Individuals who only perform duties of bartenders, waitresses or similar functions limited to providing food and drink service within the card room portion of the licensed premises are not "card room employees." Persons performing at least the following functions shall be designated as card room employees:~~

- ~~(1) Collecting fees;~~
- ~~(2) Dealing;~~
- ~~(3) Supervising any card game or card room employee, such as acting as a pit boss, floor person, section supervisor, etc.;~~
- ~~(4) Cashier duties such as selling or redeeming chips;~~
- ~~(5) Surveillance of dealers and card games to detect cheating or control functions;~~
- ~~(6) Controlling card room funds including keys to secure locations;~~
- ~~(7) Facilitating any part of the operation of a card game.~~

~~[Statutory Authority: RCW 9.46.070. 00-09-052 (Order 383), § 230-02-415, filed 4/14/00, effective 5/15/00. Statutory Authority: RCW 9.46.070(5). 98-04-023, § 230-02-415, filed 1/28/98, effective 7/1/98. Statutory Authority: RCW 9.46.070(16). 78-06-066 (Order 85), § 230-02-415, filed 5/25/78.]~~

230-15-031 Reporting card room activity semiannually.

Card game licensees, except for Class D, must submit an activity report for their card rooms to us.

- (1) Card game licensees must complete the report according to the format we require; and
- (2) We must receive the completed report, or the report must be postmarked, no later than thirty days after the end of the reporting period; and
- (3) The highest ranking executive officer or designee must sign the report. If someone other than the licensee or an employee prepares the report, the preparer must print his or her name and phone number on the report; and
- (4) Card game licensees must report activities for:
 - January 1 through June 30; and
 - July 1 through December 31; and
- (5) Card game licensees must submit a report for any period of time their license was valid. If they do not renew their license, they must submit a report for the period between the previous report they filed and the expiration date of their license.

[Statutory Authority: RCW 9.46.070.]

WAC 230-08-160 Semiannual activity reports by operators of social and public card rooms.

Each licensee for the operation of social or public card rooms shall submit an activity report to the commission concerning the operation of the licensed activity and other matters set forth below: Provided, That persons licensed under Class "D" - general, no fee charged, are exempt from all portions of this section:

- (1) Reports shall be submitted detailing activities occurring during each of the following periods of the year:
 - (a) January 1st through June 30th; and
 - (b) July 1st through December 31st.
- (2) A report shall be submitted for any period of time the activity was operated or a license was valid. If a license is not renewed, a report for the period between the previous report filed and the expiration date shall be submitted;
- (3) The report form shall be furnished by the commission and the completed report shall be received in the office of the commission or postmarked no later than thirty days following the end of the period for which it is made;
- (4) The report shall be signed by the highest ranking executive officer or their designee. If the report is prepared by someone other than the licensee or an employee, the preparer shall print his/her name and phone number on the report;

(5) The report shall be completed in accordance with the related instructions furnished with the report. The report shall include the following:

- (a) Gross gambling receipts;
- (b) Full details of all compensation paid by the licensee to each person for any work connected with the management, promotion, conduct or operation of the card room;
- (c) Full details of all other expenses related to the operation of the card room;
- (d) Net gambling income or loss from the operation of the card room for the reporting period;
- (e) The normal days and times of operation of the card room; and
- (f) The total hours the card room was open during the period.

[Statutory Authority: RCW 9.46.070. 00-09-052 (Order 383), § 230-08-160, filed 4/14/00, effective 5/15/00. Statutory Authority: RCW 9.46.070 and 9.46.0217. 95-07-094, § 230-08-160, filed 3/17/95, effective 7/1/95. Statutory Authority: RCW 9.46.070. 94-11-095 (Order 251), § 230-08-160, filed 5/17/94, effective 7/1/94. Statutory Authority: Chapter 9.46 RCW. 86-19-056 (Order 161), § 230-08-160, filed 9/15/86, effective 1/1/87. Statutory Authority: RCW 9.46.070 (8) and (9). 85-06-002 (Order 147), § 230-08-160, filed 2/22/85. Statutory Authority: RCW 9.46.070 (4), (7), (8) and (11). 83-06-077 (Order 127), § 230-08-160, filed 3/2/83; Order 80, § 230-08-160, filed 12/28/77; Order 70, § 230-08-160, filed 5/24/77.]

Card Tournaments

230-15-032 Card tournament licenses.

(1) If you have a Class A, B, E, F, or house-banked license, you may conduct a card tournament where a fee or buy-in is charged without getting a card tournament license, but you must only operate those card games approved for your license class.

(2) If you have a Class D license, you must also obtain a card tournament license.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.

A card tournament wherein a fee is charged to the participants and prizes are awarded to the winning players shall be licensed by the commission.

License not required.

(1) Card room licensees with a Class A, B, E, F or house-banked license may conduct a card tournament for a fee without obtaining a card tournament license: Provided, That licensees are limited to only those card games authorized under their license class.

Class D licensees.

(2) Card room licensees with a Class D license must first obtain a card tournament license before they can conduct a card tournament in which the players are charged a fee to enter.

[Statutory Authority: RCW 9.46.020 (19), (20)(d) and (23); RCW 9.46.050(3); RCW 9.46.070(1), (2), (4), (5), (6), (9), (11), (12), (14), and (17); RCW 9.46.0281 and RCW 9.46.0325.]

230-15-033 Entry fees and buy-ins for card tournaments.

(1) Card game licensees must:

(a) Not charge more than one hundred dollars per player for an entry fee; and

(b) Collect all entry fees before the start of play

(2) The entry fee must include all the separate fees for various phases and events of the tournament, for food and drink, and for promotional material.

(3) Card game licensees may award prizes in excess of entry fees collected.

(4) Card game licensees may require a minimum buy-in of chips. The buy-in may be a single or multiple buy-in, but the total per player may not exceed four hundred dollars per tournament.

(5) Card game licensees must:

(a) Keep a record of the buy-ins for each player in the format we require; and

(b) Return all buy-ins to the players in the form of cash or merchandise prizes.

(6) We do not consider buy-ins gross gambling receipts.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-050 Fees for Nonhouse-banked games.

(1) (d) **Fees to enter tournaments** shall be as set forth in WAC 230-40-055

(2) (d) **Tournaments.** All fees to enter tournaments shall be collected in advance of the start of play in accordance with WAC 230-40-055; or

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.

Entry fees.

(5) The fee for a player to enter a card tournament for prizes shall not exceed one hundred dollars. The fee shall include all separate fees which might be paid by a player for various phases, events of the tournament, food and drink offerings, and promotional material.

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.

Posting and approval of rules.

(11) The licensee shall adopt tournament rules to facilitate the operation of card tournaments: Provided, That all tournament rules for tournaments where the single or multiple buy-in exceeds fifty dollars must be submitted to commission staff for approval: Provided, That once a tournament format is approved, notification will be sufficient for all subsequent tournaments identical in format and play. All tournament rules must be conspicuously posted where all tournament participants can see and read the rules.

Buy-in.

(9) In addition to the entry fee, a minimum buy-in of chips may be required. The total buy-in per player shall not exceed four hundred dollars per tournament and may be either a single or multiple buy-in during the course of the tournament. A record of the buy-ins for each participant will be maintained by the licensee in a format provided by the commission. All buy-ins of chips are not gross gambling receipts and shall be returned to the participants in the form of prizes. Prizes from buy-ins are not deductible for commercial stimulant purposes.

230-15-034 Getting card tournaments approved.

Card game licensees must notify us ten days before any card tournament where the single or multiple buy-in(s) is greater than fifty dollars. Card game licensees must:

- (1) Submit rules for these tournaments for approval in advance.
- (2) If a future tournament is identical, no approval is needed. Only notify us ten days in advance of the tournament.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.

(11) The licensee shall adopt tournament rules to facilitate the operation of card tournaments: Provided, That all tournament rules for tournaments where the

single or multiple buy-in exceeds fifty dollars must be submitted to commission staff for approval: Provided, That once a tournament format is approved, notification will be sufficient for all subsequent tournaments identical in format and play. All tournament rules must be conspicuously posted where all tournament participants can see and read the rules.

230-15-035 Restricting length of card tournaments.

Card game licensees must not conduct a tournament for longer than thirty consecutive calendar days.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.

Length of tournament.

(4) A card tournament shall not exceed thirty consecutive calendar days.

230-15-036 Posting tournament rules and prizes.

(1) On the premises before the players pay their fees, card game licensees must prominently post and keep posted until the tournament is complete:

- (a) All rules, prizes, and conditions of the tournament; and
- (b) The tournament fee; and
- (c) Entry and buy-in requirements; and
- (d) A description of all of the goods and services they will provide as a part of the tournament.

(2) Card game licensees must initially provide all entrants in tournaments with the same number of chips or points and the same opportunity for rebuys.

(3) If there are more players than spots available in the tournament, card game licensees may conduct a drawing to determine which players participate. If there is a fee to enter the tournament, card game licensees must collect it after the drawing has occurred.

(4) After the tournament has begun, card game licensees must not conduct a drawing to decide who will fill an extra seat, for example, determining who will advance to the next round of the tournament.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-050 Fees for Nonhouse-banked games.

(2) (d) **Tournaments.** All fees to enter tournaments shall be collected in advance of the start of play in accordance with WAC 230-40-055; or

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.

Posting entry fee requirements.

(6) The fee to enter a tournament and a description of all goods and services to be provided as a part of the tournament must be fully disclosed to each entrant prior to their paying such fee. Such disclosure must be posted conspicuously on

the premises at the time payment is received and remain posted until the tournament is complete.

(11)... All tournament rules must be conspicuously posted where all tournament participants can see and read the rules.

230-15-037 Offering discounted tournament fees as customer appreciation.

Card game licensees may offer discounted fees to card tournaments to specific groups of players (such as Ladies' Night) as customer appreciation.

[Statutory Authority: RCW 9.46.070]

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.**Customer appreciation.**

(7) Operators may offer customer appreciation tournaments. The licensee shall conspicuously post entry and buy-in requirements.

(a) Entrants in such tournaments must initially be provided with the same number of chips or points and the same opportunity for rebuys.

(b) All prizes awarded for customer appreciation tournaments may be deducted as prizes for determining adjusted net gambling receipts.

What we changed: We added rule interpretation language that stated owners of card rooms could have tournaments that restrict entry to certain groups as long as they post all the restrictions on entry in the tournament rules.

Why: The codification of rule interpretations was a goal of the Rules Simplification Project. Our goal is to do away with all rule interpretations and replace them with clearer WACs.

230-15-038 Exclusive tournament entry as customer appreciation.

Card game licensees may offer exclusive tournament entry to specific groups as customer appreciation. Card game licensees must include all requirements or restrictions in their tournament rules.

[Statutory Authority: RCW 9.46.070]

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.**Customer appreciation.**

Now covered by WAC 230-15-036 (7) Operators may offer customer appreciation tournaments. The licensee shall conspicuously post entry and buy-in requirements.

(a) Entrants in such tournaments must initially be provided with the same number of chips or points and the same opportunity for rebuys.

(b) All prizes awarded for customer appreciation tournaments may be deducted as prizes for determining adjusted net gambling receipts.

230-15-039 Value of tournament chips.

Card game licensees must use chips that have no monetary value and can only be redeemed for prizes posted by the licensee.

[Statutory Authority: RCW 9.46.070]

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.**Prizes.**

(10) The chips used in card tournaments shall have no monetary value and may be redeemed only for prizes established by the licensee.

230-15-040 Reporting entry fees as gambling receipts.

(1) Card game licensees must report all entry fees as gross gambling receipts.

(2) If card game licensees prepare and provide food and drink as a part of the entry fee, they may treat the fair market value of the food and drink as commercial stimulant sales and not include it as gross gambling receipts.

(3) The fair market value of the food and drink must not exceed twenty-five dollars per player or fifty percent of the entry fee, whichever is greater. Card game licensees must support these amounts with records.

(4) When determining adjusted net gambling receipts from the entry fees, card game licensees may deduct:

- (a) Cost of promotional items; and
- (b) Cost of merchandise prizes awarded; and
- (c) Cost of merchandise prizes and cash awarded in customer appreciation tournaments; and
- (d) Cash prizes awarded.

(5) Card game licensees must not deduct buy-ins when determining adjusted net gambling receipts.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting requirements.**Fees are gross gambling receipts - exception for food and gifts.**

(8) All fees paid to enter a tournament shall be reported as gross gambling receipts: Provided, That if an operator prepares and provides food and drink items to all tournament entrants on the licensed premises as a part of their entry fee, the fair market value of the food and drink provided, not to exceed twenty-five dollars or fifty percent of the entry fee, which ever is greater, shall be treated as sales of food and drink for on premises consumption and not included as gross gambling receipts. Such sales, must be properly supported by records: Provided further, That if an operator provides items promoting the tournament or

licensed business, such as hats, t-shirts, etc., to all participants as a part of their entry fee, the actual cost of such items, supported by invoices and other such records, shall be deducted as prizes in determining adjusted net gambling receipts.

WAC 230-40-055**Entry fees.**

(5) The fee for a player to enter a card tournament for prizes shall not exceed one hundred dollars. The fee shall include all separate fees which might be paid by a player for various phases, events of the tournament, food and drink offerings, and promotional material.

(10)...The licensee may award prizes in excess of those entry fees collected as authorized in subsection (5) of this section. The licensee's actual cost, including any cash, for prizes awarded to the players may be deducted as prizes for determining adjusted net gambling receipts generated by the entry fees.

230-15-041 Recordkeeping for card tournaments.

(1) Card game licensees must keep tournament records in the format we require.

(2) On the daily control sheet for the first day of a tournament, card game licensees must include the total gross gambling receipts and attach the record of participants.

(3) Card game licensees must attach the tournament records to the daily card room records for the date they awarded the majority of the prizes in the tournament.

[Statutory Authority: RCW 9.46.070.]

WAC 230-40-050 Fees for nonhouse-banked card games**Assessing fees.**

(1) (d) **Fees to enter tournaments** shall be as set forth in WAC 230-40-055.

WAC 230-40-052 Daily records -- Card games (cont'd)**Tournament fees.**

(3) Fees for tournaments shall be recorded as set forth in WAC 230-40-055.

WAC 230-40-055 Card tournaments for fee and prizes -- Reporting**Recording fees and players.**

(12) The licensee shall maintain a record of all such fees collected and the number of participant for each tournament conducted. This information shall be entered in a format approved by the commission. The total gross gambling receipts for the tournament shall be entered on the card room daily control sheet for the time and date the tournament begins and the record of participants shall be attached and maintained with that daily control sheet.

Prize records.

(13) The licensee shall maintain a record of all prizes awarded to include the amount the licensed operator actually paid for each prize and the name and complete address of each winning participant: Provided, That the name and address of each participant receiving promotional items as set forth in subsection

(8) of this section shall not be required on the prize record. The record shall be attached to the daily control sheet used on the date the majority of the prizes are awarded.